

SUMMARY OF RESTRICTION REQUIREMENT

The Restriction Requirement states as follows:

Group I (claims 1-3 and 8) drawn to an article,
classified in class 428, subclass 36.5.

Group II (claims 4-7 and 9-12) drawn to a process for
the production of an article, classified in claim 264,
subclass 464.

PROVISIONAL ELECTION

Applicants elect with traverse Group II (claims 4-7 and 9-12) drawn to a process for the production of an article, classified in claim 264, subclass 464 as stated in the Restriction Requirement. The inventorship has not been changed as a result of the election.

In the event the Restriction is not overcome, Applicants preserve the right to pursue the subject matter of the unelected claims in later applications.

TRAVERSAL

Applicants respectfully traverse the Examiner's Restriction Requirement because both Groups I and II are not independent and distinct inventions insofar as they recite many of the same limitations.

The touchstone for requiring restriction is determining whether two or more independent and distinct inventions are claimed within the same application. MPEP §806. Restriction should never be required where the claims of an application define the same essential characteristics of a single disclosed embodiment of the invention. MPEP §806.03.

The Office Action alleges that Inventions II and I are related as the process of making and the product made therefrom and that Inventions I and II are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the Examiner alleges that the presently claimed product can be made by another and materially different process such as injection molding. However, Applicants note that both Groups I

and II share the same claim limitations.

Accordingly, Applicants respectfully request that the Restriction be withdrawn.

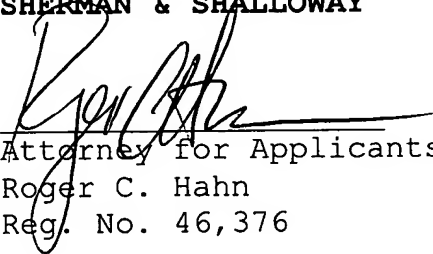
CONCLUSION

In view of the foregoing, Applicants respectfully request the Examiner to reconsider and withdraw the restriction requirement and to examine all of the claims pending in this application. If the Examiner has any questions or wishes to discuss this matter, the Examiner is welcomed to telephone the undersigned attorney.

Respectfully submitted,

SHERMAN & SHALLOWAY

SHERMAN AND SHALLOWAY
415 N. Alfred Street
Alexandria, Virginia 22314
(703) 549-2282


Attorney for Applicants
Roger C. Hahn
Reg. No. 46,376